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**Notice of Allowability**

Application No.

10/748,952

Applicant(s)

IKEDA ET AL.

Examiner

PHAN T.H. PALMER

Art Unit

2874

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/30/2003.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 12/30/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Phan T. H. Palmer*  
**PHAN T. H. PALMER**  
**PRIMARY EXAMINER**  
10/31/2005

**EXAMINER'S AMENDMENT**

*Amdt/PTHP*

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows: in the specification, on page 1, line 3, after "No." inserted --10/749,029--<sup>✓</sup>; and on line 5, after "Serial No." inserted --10/748,950--<sup>✓</sup>.

**REASON FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance: the claims are allowable over prior art of record, because none references in alone or in combination discloses:

**+++ An adjustable aperture system, comprising:**

- a stationary aperture operable to remove a portion of a lower intensity light communicated through a light bundle;

- an adjustable aperture comprising a notch and capable of varying an amount of projection light communicated through the light bundle, wherein the notch operates to reduce the effect of the adjustable aperture on a high intensity light communicated through the light bundle; and

- a control motor operable to receive a control signal and to selectively manipulate the adjustable aperture, as discloses in claim 1.

**+++ An image display system, comprising:**

- a modulator operable to selectively communicate a projection light beam along a projection light path; and
- at least one adjustable aperture positioned in the projection light path and operable to selectively vary an amount of the projection light beam communicated from the modulator, the adjustable aperture comprising a notch that operates to reduce the effect of the adjustable aperture on a high intensity light associated with the projection light beam and wherein the notch communicates at least a majority of the high intensity light associated with the projection light beam, as discloses in claim 12.

**+++ An adjustable aperture system, comprising:**

- an adjustable aperture comprising a notch and capable of varying an amount of projection light communicated through the light bundle, wherein the notch operates to reduce the effect of the adjustable aperture on a high intensity light communicated through the light bundle and wherein the notch communicates at least a majority of the high intensity light communicated through the light bundle; and
- a control motor operable to receive a control signal, as discloses in claims 19.

The underlined limitations are critically, since the adjustable aperture system can remove a portion of a lower intensity light communicated through a

light bundle, and reduce the effect of the adjustable aperture on high intensity light communicated through the light bundle.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **CONTACT INFORMATION**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHAN T.H. PALMER whose telephone number is (571) 272-2354. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RODNEY B. BOVERNICK can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**PTHP**  
**10/31/2005**